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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,692	09/28/2001	Tsutomu Yamada	YKI-0078	4078
23413	7590	05/19/2004	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			MULPURI, SAVITRI	
			ART UNIT	PAPER NUMBER
			2812	

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,692

Applicant(s)

YAMADA ET AL.

Examiner

Savitri Mulpuri

Art Unit

2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 are is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/8/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the applicant's argument's filed on 3/8/04 along with IDS
Claims 1-5, 7-26 rejected under 35 U.S.C. 102(e) as being anticipated by
Ikuko et al ((US6,255,775).

Rejection is maintained same as in paper no7, mailed on 6/24/04.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tonucci
et al.

Rejection is maintained same as in paper no.7, mailed on 6/24/04.

Claims 1-5, 7-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Fukazawa et al in combination with Ikuko et al.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Fukazawa in combination with Ikuko et al as applied to claims 1-5, 7-26 above, and
further in view of Tonucci et al.

Rejection is maintained same as in paper no. 7, mailed on 6/24/04.

Response to Amendment

Applicant's arguments filed on 3/8/04 have been fully considered but they are not
persuasive. Applicant states that claim 1-7, 7-10 requires that "causing relative
movement between said mask and said layer material source and said substrate and
causing material scattered from said layer. Material source to attach to said substrate
through said opening thereby forming individually patterned layer, and similarly claims
11-24 includes " sliding a relative position between said mask and said emissive material
source, and said substrate by predetermined pitch corresponding to assize of the pixel

Art Unit: 2812

of said substrate, and causing an emissive material to attach predetermined region of the substrate through said mask, thereby forming the emissive material layer. Applicant argues that such stated instant claimed limitation are not taught in Ikuko et al because such movement of the mask relative to substrate and source are adjusted in advance to the formation patterned layer. Conclusively, rejections of instant claims in previous office action are justifiable with the teaching of the relative movement of the mask with respect to substrate and source in the invention of Ikuko et al.

Applicant argues that Ikuko, when referring to one opening formed in one mask, a thin film is formed in different locations on substrate by depositing, through the opening, material from plurality of different evaporation sources, without changing the positional relationship between the substrate and the mask/plurality of evaporation sources. Applicant further argue that positional relationship among substrate mask opening and evaporation sources is extremely significant and when position any one deviates the shape and location of thin film formed on the substrate is significantly altered. However, claims 1-30 requires broadly limited to the limitation of causing or sliding relative position between said mask and said layer material source, and said substrate, but not limited to at what the causing and sliding the relative position of mask, substrata and material source, in other words claims are not limited to relative movement between mask, substrate and material source is occurred during or after before the formation of individually patterned layer.

Ikuko discloses movement of the mask to adjust d_1 , d_2 , d_3 and the pitch P to form patterned layer by using shadow mask with plurality of openings "9" from laterally

extending evaporation sources "11,12,13" for forming patterned electroluminescent material and such limitation is met by the claimed limitation

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Savitri Mulpuri whose telephone number is 571-272-1677. The examiner can normally be reached on Mon-Fri from 8 to 4.30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling, can be reached on 571-272-1679. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2812

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).



Savitri Mulpuri
Primary Examiner
Art Unit 2812